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MMA Annual Business Meeting

Saturday, January 24, 2009

10:15-11:50 a.m.

Ballroom A, Hynes Convention Center, 3rd floor

At the 2009 MMA Annual Business Meeting, members will consider amendments to two of the MMA's standing policies as well as resolutions on water infrastructure funding and energy.

The MMA's Policy Committee on Personnel and Labor Relations is recommending that the association update its standing policies by adding a provision on binding arbitration, adding a provision on municipal retirement, and rewriting the section on health insurance.

The proposed additions state the MMA's long-standing opposition to binding arbitration and call for comprehensive reform of the retirement system, with an emphasis on the disability retirement system.

The health insurance portion calls for changing state law to give cities and towns the same authority that the state government has for making health insurance plan decisions for employees.

In its proposal, the MMA's Policy Committee on Energy and the Environment is calling on the state to involve local government in the development of energy policies and programs. The new policy also calls for giving cities and towns the authority to approve the siting of energy facilities, and for the state and federal governments to provide assistance in energy procurement and management.

The resolutions proposed by the Policy Committee on Energy and the Environment outline a progressive energy plan for cities and towns and a long-term plan for water infrastructure funding.

Policies and resolutions presented at the Annual Business Meeting are drafted by the respective policy committees, at the request of the Board of Directors, to support the MMA's lobbying agenda. The proposals are intended to clearly communicate the MMA's basic principles and policy directives to the appropriate state and federal officials.

The MMA Board of Directors on Nov. 10 voted unanimously to recommend the proposed policy changes and resolutions.

Proposed changes to MMA's Policy on Personnel and Labor Relations

January 2009

The MMA's Policy Committee on Personnel and Labor Relations is recommending that the association update its standing policy on personnel and labor relations in order to add a provision on binding arbitration, add a provision on municipal retirement, and update the policy on health insurance.

The MMA's Policy Committee on Personnel and Labor Relations recommends that Section III of the Policies of the Massachusetts Municipal Association be amended by replacing subsection F with the following:

F. Health Insurance

Health insurance is a vitally important benefit offered to full-time municipal employees and their families by every city and town in Massachusetts. In a nation with 45.7 million uninsured individuals, cities and towns are justly proud of their efforts to provide health insurance for all full-time employees who opt for coverage. However, health insurance is a very expensive benefit whose costs have been steadily rising as a percentage of municipal budgets. In addition, providing health insurance to municipal employees is governed by Chapter 32B, an outdated law that desperately needs to be modernized.

Paying for health insurance is a major financial burden for virtually every employer in America, both public and private, driven in large part by underlying medical costs that greatly exceed general inflation. In Massachusetts, cities and towns are especially burdened by a state law that requires any change to health insurance to be collectively bargained. State government has exempted itself from this requirement and has no such obligation to bargain contribution levels or plan design changes such as higher co-pays, deductibles, tiered networks and similar steps. Because of this double standard in the law, cities and towns have seen their health insurance costs increase at a faster rate than the state's, due to the greater difficulty in making plan design or other changes. It is the strong position of the MMA that all cities and towns must have the same level of authority as the state government in decisions regarding health insurance for their employees. This underlying reform is essential in order to provide municipalities with the management authority and flexibility that is necessary to ensure that all cities and towns can continue to provide vital health insurance benefits in the most effective and affordable manner possible.

The MMA's Policy Committee on Personnel and Labor Relations recommends that Section III of the Policies of the Massachusetts Municipal Association be amended by adding a new subsection at the end thereof as follows:

G. Binding Arbitration

Binding arbitration represents a fundamental violation of local decision-making authority. It cedes basic budgetary decision-making authority to an un-elected, unaccountable, and outside

third party. The decision-making process that creates municipal budgets is a fair and equitable one with checks and balances that are an essential feature of the American political system.

Last-best-offer final and binding arbitration was a brief experiment in Massachusetts from 1973 to 1977 and applied only to public safety labor disputes. It was replaced by a similar system administrated by the Joint Labor Management Committee. The authority of the JLMC to use binding arbitration was repealed by the voters in 1980 as part of Proposition 2½.

The MMA opposes any re-instatement of binding arbitration because it would take essential spending decisions out of the hands of elected local officials and instead allow un-elected, unaccountable, and outside third party arbitrators to determine the fiscal course of cities and towns.

The MMA's Policy Committee on Personnel and Labor Relations recommends that Section III of the Policies of the Massachusetts Municipal Association be amended by adding a new subsection at the end thereof as follows:

H. Retirement

A secure, adequate, affordable retirement system is an essential benefit for employees and an important tool for municipal government to attract and retain good employees. The Massachusetts Contributory Retirement System was established as a defined benefit plan in 1946. It provides a safe and secure retirement for career employees, but does so at the expense of employees who are not going to make a career of public service. The system is in desperate need of reform. The system is not portable, its contribution rates vary widely between employees for the same benefit, the classification of employees is arbitrary and capricious, and it takes an unfair advantage of non-career employees. Most important, the disability system is still riddled with abuse and provides lifetime benefits to individuals who demonstrably are not disabled.

The MMA urges the Administration and the Legislature to undertake a comprehensive review and reform of the system to address these issues. Prior to the completion of the review the MMA opposes the addition of any new benefit unless and until a revenue stream is identified to pay for new benefits.

Proposed new MMA Policy on Energy

January 2009

The MMA's Policy Committee on Energy and the Environment is recommending that the association amend its standing policies to include a provision addressing the vital issue of energy.

The proposed policy is as follows:

XI. ENERGY

It is the goal of cities and towns in Massachusetts to be progressive contributors to environmentally safe and financially sound energy policies and practices in this country through the process of review and siting of energy-producing facilities and procurement and management of energy resources. Local government has a long-standing interest in encouraging clean and renewable energy resources and reducing energy consumption.

A. The state has an important role in the development of a comprehensive energy policy for Massachusetts that includes convening all entities with energy responsibilities, including local government, for policy development purposes and coordination of programs and activities. Cities and towns have an important role reflecting the needs of local economies and residents and as major energy consumers.

B. The authority to review and approve the siting of energy facilities is a fundamental local government responsibility in Massachusetts that should not be pre-empted by state or federal entities. [See MMA policy VI, E.] The state has an important role to play in helping to resolve siting disputes.

C. The state and federal governments should provide assistance to cities and towns, including the development of model bylaws, ordinances and codes for siting and the encouragement of municipal and regional approaches to energy procurement and management.

Proposed Resolution on a Progressive Energy Plan for the Cities and Towns of Massachusetts

January 2009

Whereas, Cities and towns in Massachusetts have a vital role to play in developing an environmentally safe and fiscally sound energy policy for the state and nation;

Whereas, Cities and towns have an essential role advocating for the needs of local economies and residents;

Whereas, Cities and towns have a key role as major energy consumers;

Whereas, Local government has a long-standing interest in encouraging clean and renewable energy resources and reducing energy consumption; and

Whereas, A constructive relationship between cities and towns, the state and federal government and businesses is necessary to achieve clean energy generation and energy reduction goals;

Therefore it is hereby resolved by the members of the Massachusetts Municipal Association that:

In the Matter of Technical Assistance and Education,

State agencies should provide technical assistance to cities and towns, including model bylaws and ordinances, consistent with the Green Communities Act, for the siting of renewable and alternative energy facilities;

The state should also assist cities and towns in the development of standards for energy management services, including regional delivery of services, and should make agency resources available to cities and towns undertaking energy use inventories;

In the Matter of Green Buildings,

State agencies should develop model statewide residential green building guidelines that will provide information to local jurisdictions on how to evaluate and use different green building strategies;

Cities and towns should encourage the adoption of voluntary residential and commercial green building guidelines as a reference guide to evaluate available green building programs and adopt those best suited for their communities, and to explore incentives to encourage green building by private developers of residential construction projects;

In the Matter of Building Codes,

Cities and towns support an option for local bylaws and ordinances that require higher development standards, and support the state offering an enhanced code option for local adoption (only if they are based upon protecting public health and safety and good science), and concurrently, cities and towns oppose any preemption of local-option bylaws and ordinances if these bylaws and ordinances are based on protecting public health and safety and good science;

In the Matter of Energy Efficiency in Buildings,

Cities and towns encourage energy efficiency in new and existing public and private residential and commercial buildings based on the U.S. Green Building Council's LEED program or similar systems;

In the Matter of Effective Regulation,

Cities and towns encourage the adoption of state and federal regulations that balance energy consumption and carbon footprint with marginal environmental benefit;

In the Matter of Partnerships with Businesses,

Utility companies and other businesses should work with cities and towns to implement energy efficiency and clean energy programs;

Cities and towns support the option for utilities to generate renewable energy and encourage the state to set goals for utility programs to achieve energy efficiency;

In the Matter of Clean Energy Technology,

Cities and towns support targeted tax credits, grants, loans and other incentives to assist the public, businesses, and local agencies that invest in energy-efficient equipment and technology and fuel-efficient vehicles;

Cities and towns support the increased use and purchase of clean alternative energy through the development of renewable energy resources, recovery of landfill methane for energy production, and waste-to-energy technologies;

In the Matter of Federal, State and Local Priorities for Reducing Energy Usage,

Cities and towns should undertake a complete inventory of municipal energy usage and seek assistance, when necessary, to set appropriate reduction targets and energy-reduction action plans;

Cities and towns support the reduction of vehicle emissions through increased fuel efficiency, use of appropriate alternative fueled vehicles, and/or low-emission vehicles in public agency fleets, and encourage the use of appropriate alternative fueled vehicles, and/or low-emission vehicles in private fleets; and

Cities and towns support state funding of re-commissioning of public buildings, especially schools, state funds for conversion of traffic lights to LEDs, expansion of weatherization programs aimed at low-income households, and funding DOE energy-efficiency programs at water treatment plants.

Proposed Resolution on Water Infrastructure Funding

January 2009

Whereas, water is a necessity of life and the cities and towns of Massachusetts have the responsibility for providing safe, clean, affordable water;

Whereas, maintaining the highest water quality standards is important to the protection of public health and the quality of life of Massachusetts residents and businesses;

Whereas, efficient and well-constructed and maintained water infrastructure is critical to public safety and an integral part of a healthy and growing local economy;

Whereas, the federal and state unfunded mandates imposed have created a significant funding gap between the water infrastructure needs of the Commonwealth and the existing available sources of funding;

Whereas, the cities and towns of Massachusetts depend on receiving an adequate amount of state and federal funds in order to meet the drinking, wastewater and storm water needs of their community; and

Whereas, the costs of construction of water infrastructure have increasingly been shifted from the state and federal government to the cities and towns of Massachusetts;

Therefore it is hereby resolved by the members of the Massachusetts Municipal Association that:

- The state must establish a Special Water Infrastructure Finance Commission to develop a comprehensive, long-range plan for the Commonwealth and its municipalities;
- The administration must implement the \$25 million Drinking Water Quality Act Authorization as passed in the 2009 Environmental Bond Act;
- The United States Congress must enter into a new partnership with the state and municipalities by increasing funding for the Clean Water State Revolving Fund to a minimum of \$850 million in the Fiscal Year 2010 Interior Appropriations Bill; and
- A copy of this resolution shall be forwarded to the State Senate, the House of Representatives, the Governor of the Commonwealth of Massachusetts, and the Massachusetts Congressional Delegation.

Voting at the MMA Annual Business Meeting

Each city or town that is a member of the MMA is entitled to one vote at the Annual Business Meeting, under the guidelines established in the association's bylaws [Article II, Sect. 6].

According to the bylaws, the person who votes on behalf of a member community must be:

- The mayor or chief executive of a member city; or
- The chair of the Board of Selectmen of a member town.

In the event that the designated official from a member community cannot attend, a councillor, selectman, or manager from that community can vote in the person's place, but only with written authorization from the designated official. Those eligible voting officials who cannot attend the Annual Business Meeting and who designate someone else to take their place must provide written authorization.

Voting delegates may obtain voting cards at the credentials table before the meeting begins. Only one voting card will be issued per member community.